



## Borough of Palisades Park

### An Independent Review of the Operations, Procedures and Structure of the Palisades Park Police Department

PRELIMINARY REPORT

July 18, 2019

*Confidential and Proprietary*

HILLARD  HEINTZE®

Protecting What Matters®



July 18, 2019

Mr. David Lorenzo  
Borough Administrator  
Borough of Palisades Park Municipal Building  
275 Broad Street  
Palisades Park, New Jersey 07650

Dear Mr. Lorenzo:

Please find attached our preliminary findings from our independent review of the operations, procedures and structure of the Palisades Park Police Department.

Our findings and recommendations are based only on the results of our interviews conducted on May 27 and 28, 2019. The issues identified in this report may not be all-inclusive and are not fully supported by independent observations or assessments.

Based on this preliminary assessment, our primary finding is that the Palisades Park Police Department needs to develop a **written strategic plan** that sets forth its mission, vision, goals and objectives to guide all members of the Department.

This report is a confidential and proprietary work document between Hillard Heintze and the Borough of Palisades Park.

Sincerely,  
HILLARD HEINTZE LLC

A handwritten signature in black ink, reading "Arnette Heintze". The signature is fluid and cursive, with the first name "Arnette" being more prominent.

Arnette F. Heintze  
President, Jensen Hughes Global Security Risk Management  
Founder, Hillard Heintze



## Overview of the Assessment

### SCOPE AND ASSIGNMENT: WHAT YOU ASKED FOR

In April 2019, the Borough of Palisades Park contracted Hillard Heintze to conduct a comprehensive review of the Palisades Park Police Department (PPPD) that included the following critical tasks.

- 1 Conduct an analysis of the **PPPD's operations, procedures and structure**.
- 2 Identify relevant **issues** and provide corresponding **recommendations**.
- 3 Provide **additional police consulting services** upon the Borough's request.

### An Intensive Approach

During this engagement, the Hillard Heintze assessment team performed the following tasks:

- Conducted a **kick-off call** with Borough Administrator David Lorenzo and Deputy Administrator Austin Ashley.
- Reviewed **documents** provided by the Borough of Palisades Park and the PPPD.
- Met with Borough Administrator Lorenzo to **clarify the focus** areas of the assessment.
- Engaged in **on-site interviews** with the Chief of Police Mark Jackson, command staff and police officers, as well as the following members of the Borough government.
  - Mayor Christopher J. Chung
  - Borough Administrator Lorenzo
  - Deputy Administrator Ashley
  - Borough Clerk Gina S. Kim
  - Councilman Frank Donohue, Chair of the Police Committee
  - Councilman Jongchul Lee, Member of the Police Committee
  - Councilman Son Ki Min, Member of the Police Committee
- Provided Borough Administrator Lorenzo with our **preliminary findings and observations** based on the results of the interviews.
- Summarized our initial analysis, findings and recommendations into a **preliminary report**.

### Document Review

As part of our assessment, we reviewed the following **documents** provided by the PPPD:

- "Police Manual," the Department's rules and regulations, adopted by the Borough Council on February 20, 2007
- Roster of the PPPD's membership
- "Palisades Park Police Department Standard Operating Procedure (SOP) Manual for Critical Incident Response," adopted on June 20, 2005



### THE ASSESSMENT TEAM: ABOUT HILLARD HEINTZE

Hillard Heintze is one of this nation's foremost strategic advisory firms specializing in independent ethics, integrity and oversight services – with a special focus on federal, state and local law enforcement agencies, including police departments, sheriff's departments and internal affairs bureaus. We provide strategic thought leadership, trusted counsel and implementation services that help leading organizations target and achieve strategic and transformational levels of excellence in law enforcement, security and investigations. Many of our team members have been responsible for leading the significant transformation of many major city police departments and law enforcement agencies.

#### Executive Oversight: Robert L. Davis, Senior Vice President, Law Enforcement Consulting



Robert Davis is a highly regarded and innovative national leader in policing and public safety with extensive experience assessing federal, state and local law enforcement agencies across the U.S. Davis served in a variety of capacities during his 30 years' career with the San Jose Police Department, including as the Chief of Police for seven years. During his time as chief, Davis also served as the President of the Major Cities Chiefs Association. He provided consulting services for the U.S. State Department, traveling on numerous occasions to Central and South America to provide training in community policing methods addressing gang prevention, intervention and suppression. Since retiring from San Jose, Davis has been involved in numerous assessments of police departments across the nation. He also has over 4,000 hours of experience delivering law enforcement training across the country.

#### Principal Advisor: Robert C. Haas, Vice President, Law Enforcement Consulting



Robert Haas is a retired Police Commissioner with extensive experience in law enforcement reform, operational assessments and community engagement. In addition to recently assisting Hillard Heintze with several high-stakes projects, such as the U.S. Department of Justice COPS Office CRI-TA Program, he has served as an expert in numerous agencies. Before joining Hillard Heintze, Robert served as a member of a consent decree monitoring team, performing operational assessments with Strategic Policy Partnership, LLC. His role with Strategic Policy Partnership also included a collaboration with the New York University School of Law Policing Project, where he served as the policing expert on two different teams working to foster greater engagement between the police departments and the communities and to initiate alternative policing approaches.



## Preliminary Key Findings and Recommendations

The following preliminary findings and recommendations are based only on the results of our interviews conducted on May 27 and 28, 2019. The issues identified in this report may not be all inclusive and are not fully supported by independent observations or assessments.

Our recommendations focus on the leadership, operational and procedural practices that appear to warrant immediate attention and further exploration. Other operational issues are not included in this report as our corresponding recommendations would not require immediate action by the Department and would require us to conduct additional assessments. A thorough assessment of the department will require, among other things, a detailed review of policies and procedures, a review of relevant data and review of personnel files and internal investigations. Once those assessment activities are completed all recommendations and findings will be included in a final report.

### **Key Finding #1: The Palisades Park Police Department needs to develop a written strategic plan that sets forth its mission, vision, goals and objectives to guide all members of the Department.**

Many of our preliminary findings identified in this report result from the Department's lack of a strategic plan. Without such a plan, the Department could continue to operate without any significant positive change. A strategic plan provides guidance to PPPD members regarding the future direction of the Department and the collaborative roles they play in achieving this vision that has been agreed upon by the governing body, Borough Administrator and Chief. This plan provides PPPD members with a common understanding of the Department's overall mission and the core values on which all operational functions are based. The plan should describe the path to achieve the vision and provide achievable goals and objectives to be accomplished within a defined timeframe. Generally, strategic plans cover a three- to five-year period.

A strategic plan provides a stated purpose, but it also serves as an important vehicle to inform the community of the Department's priorities and what it hopes to achieve within the foreseeable future.

Rec. #	Internal Communications
1.1	Establish a <b>strategic plan</b> .
1.2	Include in the plan <b>topics</b> such as the following: <ul style="list-style-type: none"><li>• Scope and Purpose</li><li>• Identifying and Understanding Methodologies for Implementation</li><li>• Creation of Written Plans for Operational Components of the Department</li><li>• Metrics Used to Measure and Assess Progress</li><li>• Timeline for Achieving the Strategic Plan</li></ul>



**Key Finding #2: The Department could better enforce accountability through a more structured chain of command, uniform enforcement of rules and regulations and formal documentation of the internal affairs process.**

A structured chain of command is necessary for the orderly flow of communications and directions and an adherence to the hierarchical structure of the organization. However, interviewees indicated that adherence to this fundamental organizational principle has diminished and it has become a common practice among both supervisory and line personnel to bypass one another when it is convenient. Additionally, interviewees reported that PPPD's rules and regulations are not consistently, uniformly and fairly enforced – some rules and regulations are ignored, while others are vigorously enforced. This inconsistency can have a negative impact of the morale of the employees of the Department. Finally, interviewees reported that the internal investigations process is not well documented, resulting in inconsistent investigations and disciplinary actions.

Rec. #	Internal Communications
1.3	Establish <b>tracking procedures</b> to ensure duties are carried out appropriately and when warranted, that the Chief has approved of the action.

**Key Finding #3: The PPPD could gain efficiencies by delegating some administrative assignments and realigning duties to be more reflective of officers' positional level within the Department.**

Interviewees indicated that the Chief and other command staff members are assigned administrative workloads that are more appropriately delegated to other members of the Department. Several interviewees indicated that they do not understand all the administrative assignments among other members of the command and managerial staff, and it appears that such assignments are unevenly distributed among staff. This uneven assignment of administrative duties and responsibilities results in slow decision making by the Chief and command staff and results in focus on smaller issues rather than larger strategic issues.

Rec. #	Organizational Structure
1.4	Delegate some <b>administrative assignments</b> to executive officers to increase the speed and efficiency of making time-sensitive and critical decisions and allow the Chief to focus on issues that have a larger impact on the Department's effectiveness.
1.5	Review the PPPD's <b>organizational structure and assignment</b> to identify opportunities to (1) realign assignments so the assigned duties and responsibilities are commensurate with an officer's positional level within the Department, and (2) repurpose some of the rank structure to establish a clear delineation of authorities and responsibilities.



**Key Finding #4: The PPPD's policies and procedures should undergo a thorough review and revisions to ensure that they comply with applicable laws and regulations.**

Because police departments are complex organizations, responsible for carrying out a wide range of important activities, they need to have comprehensive and up-to-date written directive systems. However, it appears from our interviews and limited review of policies that the PPPD does not have a full set of policies and procedures and what does exist is inadequate or outdated. In particular, the Department's policies regarding internal investigations and discipline do not completely comply with the guidelines in the New Jersey Attorney General's "Internal Affairs Policy & Procedures."

Rec. #	Policies and Procedures
1.6	Conduct a comprehensive review of the Department's <b>rules and regulations</b> to ensure they comply with current best practices and standards, labor and employment laws, the Attorney General's guidelines and applicable rules for all Borough employees. This internal review process should include a legal review by the Borough's legal counsel, consultation with the Police Committee and the formal adoption by the Borough Council.
1.7	Focus the review and revisions on high-priority <b>policies</b> including the following. <ul style="list-style-type: none"><li>• Use of Force</li><li>• Arrest and Other Forms of Detention<sup>1</sup></li><li>• Search and Seizure</li><li>• Custodial Interrogation and Interviews<sup>2</sup></li><li>• Police Use of Force Investigations</li><li>• Bias Incident Investigation Standards</li><li>• Domestic Violence</li><li>• Preliminary Investigation Guidelines<sup>3</sup></li><li>• Standards for Providing Services to Victims of Sexual Assault</li><li>• Homicide and Sudden Death Survivor Guidelines</li><li>• Internal Affairs Policy and Procedures</li><li>• Handling of Juvenile Matters by Police and Prosecutors</li><li>• Missing and Unidentified Persons Investigations</li></ul>

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<sup>1</sup> Not explicitly covered in the New Jersey Attorney General's guidelines.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.





	<ul style="list-style-type: none"><li>• Mental Health Issues<sup>4</sup></li><li>• Property and Evidence Function</li><li>• Vehicular Pursuits</li></ul>
1.8	Take steps to ensure that all employees are provided copies of all policies, given an opportunity to ask questions about policies and trained on the high-priority policies. Regular <b>policy briefing</b> should also be provided during roll calls and using training bulleting, daily bulletins and internal written memoranda.
1.9	Develop a <b>tracking system</b> to track the receipt and acknowledgement of orders by department members, as well as any other instances where department members are provided training or information about policies.
1.10	Leverage the New Jersey Attorney General's guidelines regulating or addressing police functions as the baseline to improve the PPPD's <b>rules and regulations</b> .
1.11	Ensure that the Department's internal investigation process incorporates protocols for the <b>receipt and investigation of employee complaints</b> about harassment.

**Key Finding #5: The Department should focus efforts in improving its internal and external communications processes.**

Many of the reported issues revolving around the lack of a strategy, challenges with accountability and workload issues may be due to the Department's challenges in communicating its message internally and externally. A written directive system is one of many forms of internal communications within a police department. While issuing written orders or correspondence has its place, regular and ongoing verbal communication between a police department's administration and the various levels within the organization is essential. Verbal communication has an enormous impact on the overall morale of an organization. It also provides a forum to articulate the organization's vision, mission and direction, while soliciting feedback and suggestions from all levels of the department.

During our interviews, many reported that a departmental meeting has not been held within the last three to four years and that generally, the employees operate with a focus on the day-to-day activities and do not seem to have a common understanding of the overall vision for the Department's future. We were not made aware of a process for employees to offer recommendations or be instructed on the specifics of the Department's mission beyond public safety and the enforcement of laws.

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<sup>4</sup> Not explicitly covered in the New Jersey Attorney General's guidelines.





The Chief noted that he does not regularly hold command-level meetings or meetings with the supervisory staff. Such meetings can provide an opportunity for the Chief to ensure the supervisory personnel have a common understanding of a given topic.

Rec. #	Internal Communications
1.12	Hold <b>regular meetings</b> between the Chief and the command and supervisory staff.
1.13	Ensure all levels of supervision have a shared understanding of the <b>expectations and standards of performance</b> .
1.14	Hold <b>roll calls</b> prior to each shift during which supervisors provide briefings to personnel.
1.15	Establish a <b>formal set of protocols</b> regarding when and how notifications are made to the chief, mayor and Borough Council.
1.16	Establish a <b>communication system</b> through which the Department routinely exchanges information.

**Key Finding #6: The PPPD does not have a strategic plan or a program to ensure that officers get trained to maintain their skills and adhere to modern police practices.**

Continuous training is essential to keeping the workforce up to date on modern police practices and maintaining skills. Training also enhances the Department's overall competency and officers' sense of value and confidence. Without ongoing training, the Department's quality of the service could diminish over time. Additionally, the failure of a police department to provide adequate training tends to get communities quickly enjoined into a lawsuit involving allegations of police misconduct.

PPPD officers do not regularly attend training as an ongoing process. In-service training has mostly amounted to an hour and a half of online training on domestic violence, as mandated as by the Department as an annual training requirement. Additionally, it appears that many officers' certifications, such as for radar operation, have lapsed. Training and certification maintenance do not appear to be a priority of the Department's administration, which noted the absence of training is purportedly due the lack of overtime available to do it.

It is imperative that the PPPD establishes an ongoing training program that is a regular part of its overall operational plan.



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Rec. #	Training and Personal Development
1.17	Establish an ongoing <b>training program and training strategy</b> that is a regular part of the Department's overall operational plan.
1.18	Provide officers regular training on any <b>less-lethal device</b> they are authorized to carry and use.
1.19	Develop a <b>training schedule</b> that identifies what training officers should attend based on their years of experience or change in assignments.
1.20	Take advantage of the training offered at the <b>regional training academy</b> .
1.21	Consider developing <b>in-house certified instructors</b> to increase the Department's internal capacity for training.



## Conclusions and Next Steps

### Conclusions

This preliminary assessment identified some key areas of concern based on interviews of selected stakeholders related to the Palisades Park Police Department. This is not to be considered to be a comprehensive assessment. A comprehensive assessment would require the review of data, personnel and other files, additional stakeholder interviews and a thorough review of key policies and procedures.

This preliminary assessment identified areas that need immediate attention including the development of a written policing strategy, an organizational restructuring to align the organization with the department's strategy, improvement of the department's accountability mechanisms, a review and updating of policies, renewed attention on internal communications and the development of an ongoing training program.

While this preliminary assessment identified some high priority findings, the department should also be aware that interviewees expressed some concerns about the extent of external communications, the state of the department's property and evidence system and the need for the police department to be involved in event planning in the Borough.

### Proposed Next Steps

For the next phase of the project, we suggest conducting interviews with municipal employees, key community stakeholders and other community leaders, possibly in a general forum. We also recommend permitting our team to interview PPPD supervisors and a sampling of officers. Additionally, as mentioned above, a complete assessment would require the review of police department documents, files and data.

This information would help inform other areas of inquiry from the initial scope of work that include assessing operational components to ensure they are in keeping with sound business practices; evaluating the Department's overall organizational structure; recommending an option to restructure the PPPD to better leverage its rank structure, designation and duties and responsibilities by rank and position; and redefining the Department's overall mission to serve as the basis for a comprehensive strategic plan.

Borough Administrator Lorenzo indicated that it might be prudent to alter the initial scope of work to begin addressing more immediate operational issues. In the revised scope of work, the Borough of Palisades Park indicated its desire to move forward with the consulting services as initially proposed, but also incorporate some interim steps to accomplish the following tasks.

- 1 Provide additional consulting services to develop an immediate action plan to address some of the more pressing issues confronting the PPPD.
- 2 Assist addressing the more significant communication issues that exist between the governing body and the PPPD



- 3 Conduct a review of the current internal affairs process and recommend how to address any procedural issues or breakdown of that process. This review would adhere to the New Jersey Attorney General's guidelines and observe all restrictions to access to restricted or protected materials.
- 4 Review the current state of the PPPD's rules and regulations, as well as its written policies and procedures, and make recommendations to ensure they are compliant with national standards
- 5 Provide recommendations for job tasking and responsibilities of all personnel, including the delegation of responsibilities of specific administrative duties to command and managerial-level staff within the PPPD
- 6 Provide recommendations regarding the possible realignment of the organizational structure to enhance the PPPD's overall efficiencies
- 7 Assist the PPPD with the improvement of its internal communication systems
- 8 Identify other areas for improvement and recommend how to achieve those improvements.

Given the recent developments that have contributed to the amendment of the scope of work, we propose entering an internal assessment phase that is focused at the administrative level of the Department. We suggest delaying any further interviews and general assessments of the Department's overall operations.

The primary purpose of this internal assessment phase would be to validate the issues conveyed during our initial interviews. As part of this phase, we would continually update the Borough Administrator of any uncovered issues and provide recommendations as appropriate.

The ultimately goal of this phase of work would be to establish a system of practices designed to allow for the orderly functioning of the Department, while keeping the governing body and Borough administration informed of timely or critical issues.

Once the immediate issues have been addressed and a course of action has been agreed upon by the Borough Administrator, our team will continue to carry out other assessments including interviewing the staff. After these internal issues have been addressed, our focus will turn to interviewing external stakeholders and leaders. Following these interviews, our team will conclude its analysis and prepare and present the Borough of Palisades Park with our final report.